

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

JOHN WALKER,

Plaintiff,

vs.

MICHAEL HALEY,

Defendant.

3:13-cv-00192-RCJ-WGC

ORDER

This prisoner civil rights action comes before the Court for initial review following upon plaintiff's filing of an application to proceed *in forma pauperis* and further upon plaintiff's motion (#3) to amend.

Under Local Rule LSR 2-1, a *pro se* plaintiff must file the complaint on the Court's required civil rights complaint form. In the present case, both the original complaint and the proposed amended complaint are completely handwritten pleadings.

It does not appear from review of the allegations presented that a dismissal without prejudice of the present improperly-commenced action would materially impact the analysis of any timeliness issue or other issues in a promptly-filed new action. In this regard, plaintiff alleged in his pleadings, *inter alia*, that his legal papers were being interfered with and he was being placed in solitary confinement at the Washoe County Detention Facility. Plaintiff now is held at the Northern Nevada Correctional Center. Any *arguendo* alleged prior impediments in this regard accordingly cannot impact his current ability to properly commence an action on the required forms.

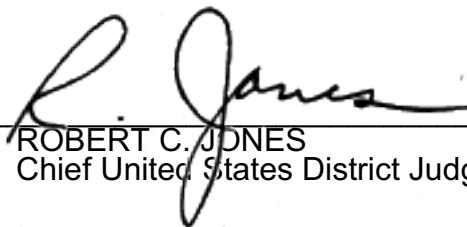
1 IT THEREFORE IS ORDERED that this action shall be DISMISSED without prejudice
2 to the filing of a new complaint on the required civil rights complaint form in a new action
3 under a new docket number with either payment of the filing fee or a properly completed
4 pauper application, with new financial attachments.

5 IT FURTHER IS ORDERED that the application (#1) to proceed *in forma pauperis* and
6 motion (#3) to amend are DENIED without prejudice as moot in this action.

7 The Clerk of Court shall send plaintiff two copies each of a civil rights complaint form
8 and a pauper application form, along with one copy of the instructions for each form and of
9 all papers that he submitted in this action.

10 The Clerk shall enter final judgment accordingly, dismissing this action without
11 prejudice.

12 DATED: July 9, 2013

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16 ROBERT C. JONES
17 Chief United States District Judge
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